

EXHIBIT B

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PLEXXIKON, INC.,)
Plaintiff,)
vs.) 4:17-cv-04405-HSG (EDL)
NOVARTIS PHARMACEUTICALS)
CORPORATION,)
Defendants.)
_____)

Video deposition of Andy Jennings, Ph.D.
(Taken by the Plaintiff)
San Diego, California
Friday, April 26, 2019

Reported by: Rosalie A. Kramm,
CSR No. 5469, CRR

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1 A I did not observe any mention of a discussion
2 with Dr. Baran.

3 Q Did you consider the discussions with Dr. Baran
4 in preparing either your opening or reply reports?

5 MS. CLOUSE: Objection. Objection to the
6 extent that those communications were privileged
7 communications, and I caution the witness not to disclose
8 the subject matter of any of those conversations.

9 But you may answer the question "yes" or "no"?

10 THE WITNESS: Yes, the discussion with
11 Dr. Baran, I did employ that in considering -- in
12 crafting my reports.

13 BY MS. MILLER:

14 Q What portions of your conversation with
15 Dr. Baran did you employ in crafting your reports?

16 MS. CLOUSE: Instruct the witness not to
17 answer. Privilege.

18 MS. MILLER: You are instructing the witness
19 not to answer material that he considered in preparing
20 his report?

21 MS. CLOUSE: I'm instructing him not to
22 answer -- I'm instructing him not to divulge the contents
23 of conversations that took place with counsel.

24 BY MS. MILLER:

25 Q And I'm asking specifically about your

1 discussions with Dr. Baran. What information did you
2 discuss with Dr. Baran that you considered in drafting
3 your report?

4 MS. CLOUSE: The witness has testified that
5 counsel was present during those discussions. Those
6 discussions are privileged, and the witness is not to
7 answer.

8 MS. MILLER: We disagree, but we can move on.

9 BY MS. MILLER:

10 Q I'm going to ask the same question, just so we
11 have it on the record, for Dr. Natarajan. Did you
12 consider any information that you discussed with
13 Dr. Natarajan in preparing either your opening or reply
14 report?

15 MS. CLOUSE: Same objection. Same caution.

16 THE WITNESS: Yes, I considered the
17 conversation I had with Dr. Natarajan in the drafting of
18 one or both of my reports.

19 BY MS. MILLER:

20 Q And what information did you discuss with
21 Dr. Natarajan that you considered in drafting either your
22 opening or reply report?

23 MS. CLOUSE: Same objection, and instruct the
24 witness not to answer on the basis of privilege.

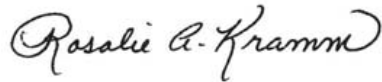
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REPORTER'S CERTIFICATE

I, Rosalie A. Kramm, Certified Shorthand
Reporter for the State of California, do hereby certify:

That the witness named in the foregoing
deposition was by me duly sworn; that the deposition was
then taken before me at the time and place herein set
forth; that the testimony and proceedings were reported
stenographically by me and were transcribed through
computerized transcription by me; that the foregoing is a
true record of the testimony and proceedings taken at
that time; and that I am not interested in the event of
the action.

Witness my hand dated May 2, 2019.



ROSALIE A. KRAMM

CSR 5469, RPR, CRR